

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ANDREW FIELDS, III,)	
Plaintiff,)	
)	Civil Action No. 7:22-cv-00021
v.)	
)	By: Elizabeth K. Dillon
FEDERAL BUREAU OF PRISONS, <i>et al.</i> ,)	United States District Judge
Defendants.)	

DISMISSAL ORDER

Plaintiff Andrew Fields, III, an inmate in the custody of the federal Bureau of Prisons and proceeding *pro se*, filed this civil rights complaint in January 2022. The case was conditionally filed, and Fields was directed to provide certain financial information to complete his application to proceed *in forma pauperis*. (Dkt. No. 4.) He was given multiple extensions and opportunities to either submit all the required information to complete his application or to pay the full filing fee. (*See, e.g.*, Dkt. Nos. 6, 8, 12, 14 (all orders granting extensions).) On July 22, 2022, the court ordered Fields to show cause why the case should not be dismissed without prejudice based on his continued failures to comply. (Dkt. No. 15.) Specifically, the court directed him to either file his missing paperwork or file a notice explaining why he had not provided them within fourteen days.

In response, Fields sent a money order to the court. Because it was not the correct amount, however, the Clerk could not process it. He then filed a written response to the order to show cause and another motion for extension of time, in which he sought additional time to pay the filing fee. By order entered August 24, 2022, the court granted his motion for extension and directed him to either submit the full filing fee or the missing account statements within fourteen days. (Dkt. No. 20.) The order further advised that, if he timely complied, the show cause order

would be dismissed. Fields was warned that if he failed to comply, then the court may dismiss his case.

Nothing has been received from Fields since that order was entered, and the deadline for his compliance has passed. The case has now been pending for more than nine months and has been unable to move forward without his compliance. Because Fields has failed to comply with the court's orders, it is hereby ORDERED that this action is DISMISSED WITHOUT PREJUDICE and the Clerk shall STRIKE it from the active docket of the court.

Fields is advised that he may refile his claims in a separate action once he is prepared to comply with the court's orders, subject to the applicable statute of limitations.

The Clerk shall send a copy of this order to Fields.

Entered: September 22, 2022.

/s/ Elizabeth K. Dillon
Elizabeth K. Dillon
United States District Judge